

SECOND REGULAR SESSION

SENATE BILL NO. 985

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time February 22, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

5186S.011

AN ACT

To repeal sections 452.430, 454.515, and 525.233, RSMo, and to enact in lieu thereof three new sections relating to personal identification information in certain documents, with an emergency clause for a certain section.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 452.430, 454.515, and 525.233, RSMo, are repealed
2 and three new sections enacted in lieu thereof, to be known as sections 452.430,
3 454.515, and 525.233, to read as follows:

452.430. Any pleadings, other than the interlocutory or final judgment **or**
2 **any modification thereof**, in a dissolution of marriage [or], legal separation,
3 **or modification proceeding** filed prior to August 28, 2009, shall be subject to
4 inspection only by the parties [or], an attorney of record [or upon order of the
5 court for good cause shown, or by], the family support division within the
6 department of social services when services are being provided under section
7 454.400, [RSMo.] **a person or designee of a person licensed and acting**
8 **under chapter 381 who shall keep any information obtained**
9 **confidential except as necessary to the performance of functions**
10 **required by chapter 381, or upon order of the court for good cause**
11 **shown. Such persons may receive or make copies of documents without**
12 **the clerk being required to redact the Social Security number, unless**
13 **the court specifically orders the clerk to do otherwise.** The clerk shall
14 redact the Social Security number from any **copy of a judgment [or pleading] or**
15 **satisfaction of judgment** before releasing the **copy of the** interlocutory or
16 final judgment **or satisfaction of judgment** to the public.

454.515. 1. A judgment or order for child support or maintenance payable

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

2 in periodic installments shall not be a lien on the real estate of the person against
3 whom the judgment or order is rendered until the person entitled to receive
4 payments pursuant to the judgment or order, the division or IV-D agency files a
5 lien and the lien is recorded in the office of the circuit clerk of any county in this
6 state in which such real estate is situated in the manner provided for by the
7 supreme court and chapter 511, RSMo. Thereafter, the judgment shall become
8 a lien on all real property of the obligor in such county, owned by the obligor at
9 the time, or which the obligor may acquire afterwards and before the lien expires.

10 2. Liens pursuant to this section shall commence on the day filed and
11 shall continue for a period of three years. A judgment creditor, the division or
12 IV-D agency may revive a lien by filing another lien on or before each three-year
13 anniversary of the original judgment. At the time each lien is revived, all unpaid
14 installments shall remain a lien for the subsequent three-year period.

15 3. The lien shall state the name, last known address of the obligor, the
16 **last four digits of the** obligor's Social Security number, the obligor's date of
17 birth, if known, and the amount of support or maintenance due and unpaid.

18 4. A copy of the lien shall be mailed by the person entitled to receive
19 payments under the judgment or order, the division or IV-D agency to the last
20 known address of the obligor.

21 5. The person entitled to receive payments pursuant to the judgment or
22 order, the division or IV-D agency may execute a partial or total release of the
23 liens created by this section, either generally or as to specific property.

525.233. The notice of garnishment and the writ of sequestration shall
2 contain **only the last four digits of** the federal taxpayer identification number,
3 when available, on the judgment debtor. When the **last four digits of the**
4 federal taxpayer identification number is omitted from the notice of garnishment
5 or the writ of sequestration the garnishee shall not be held liable for withholding
6 from the incorrect debtor by the creditor garnishing the funds. The creditor shall
7 not have any action against the garnishee, when the federal taxpayer
8 identification number is omitted from the notice of garnishment or the writ of
9 sequestration or does not match the **last four digits of the** federal taxpayer
10 identification, for failure to withhold from any person the amount stated in the
11 notice of garnishment or the writ of sequestration, except to serve a notice of
12 garnishment or writ of sequestration for the original amount to the garnishee
13 with the correct **last four digits of the** federal taxpayer identification number.

Section B. Because immediate action is necessary to protect the citizens

2 of this state, the repeal and reenactment of section 452.430 of this act is deemed
3 necessary for the immediate preservation of the public health, welfare, peace and
4 safety, and is hereby declared to be an emergency act within the meaning of the
5 constitution, and the repeal and reenactment of section 452.430 of this act shall
6 be in full force and effect upon its passage and approval.

✓

Unofficial

Bill

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